

REMARKS

Applicants respectfully traverse and request reconsideration.

Claims 1, 4, 5, 11 and 12 stand rejected under 35 U.S.C. §102(e) as being anticipated by Chen et al. The independent claims have been amended to indicate that the actual system configuration parameter used to dynamically construct the code bundle includes at least a dynamic configuration parameter. For example, but not by way of limitation, as described in the specification, screen resolution, pixel depth or other dynamic system pixel parameters may be received from an application or other process during device runtime and may be stored in driver memory or other suitable memory and used to dynamically build a code bundle. In addition, if desired, static system configuration parameters such as those based on a particular hardware platform, for example, may also be employed to dynamically construct at least one code bundle.

In contrast, the Chen reference does not appear to utilize dynamic configuration parameters and as such once a code bundle is loaded in a mobile device, it cannot be dynamically constructed during run time, for example, based on changes in screen resolution or pixel depth. As such, it appears that Chen is directed to a system that utilizes, for example, only static system configuration parameters as set forth, for example, in column 8, lines 23-40 where it indicates that the setup package file are created by a desktop device for mobile devices having different types of hardware or other pre-known characteristics of a mobile device. The desktop then selects the appropriate files or indexes and generates a suitable setup package file. However, once the package file is downloaded on the mobile device, it does not appear that any dynamic configuration parameters are utilized to dynamically construct a code bundle, accordingly, the claims are in condition for allowance.

Claims 2 and 9 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Chen in view of Biggs et al. Applicants respectfully reassert the relevant remarks made above with

respect to Chen, therefore these claims are also in condition for allowance. In addition, the combination of references does not render the invention obvious since Biggs is not directed to constructing a code bundle for every driver point associated with a software driver since no dynamic construction of a code bundle appears in the Biggs reference as alleged in the office action. As such, these claims are also believed to be in condition for allowance.

Claims 3 and 10 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Chen. Applicants respectfully reassert the relevant remarks made above with respect to the independent claims and as such, these claims are also believed to be in condition for allowance.

Claims 6 and 13 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Chen in view of Amberg. As to claim 6, both the Chen and Amberg references fail to teach “wherein the step of dynamically constructing at least one code bundle includes: in response to storing dynamic configuration parameters, using index code modules associated with the stored dynamic configuration parameters to determine which code modules are selected to define a portion of a software driver”, because neither the Chen nor Amberg reference teaches utilizing and storing dynamic configuration parameters to construct dynamic code bundles as noted above. As such, these claims are also believed to be in condition for allowance.

As to claim 13, Applicants respectfully restate the relevant remarks made with respect to claim 5 and also note that claim 13 is dependent on an allowable base claim and contains further patentable subject matter. As such, this claim is also believed to be in condition for allowance.

Claims 7 and 14 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Chen in view of Reha. As to claims 7 and 14, Applicants respectfully restate the relevant remarks made with respect the above independent claims. As such, Applicants believe claims 7 and 14 to be allowable.

Accordingly, Applicant respectfully submits that the claims are in condition for allowance and that a timely Notice of Allowance be issued in this case. The Examiner is invited to contact the below-listed attorney if the Examiner believes that a telephone conference will advance the prosecution of this application.

Respectfully submitted,

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